

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

VINCENT TORRE, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket No. 2:25-cv-00342-NT
	)	
STATE OF MAINE	)	
DEPARTMENT OF HEALTH	)	
AND HUMAN SERVICES, et al.,	)	
	)	
Defendants.	)	

**ORDER AFFIRMING THE ORDERS AND RECOMMENDED DECISION OF  
THE MAGISTRATE JUDGE AND DENYING ALL REMAINING MOTIONS**

Before me is a Recommended Decision (ECF No. 21) issued by the Magistrate Judge, recommending that I dismiss the Plaintiff's complaint (ECF No. 1). Also pending before me are: the Plaintiff's motion for change of jurisdiction to federal court, immediate release, and return of his minor children (ECF No. 6); the Plaintiff's objections (ECF No. 14) to the Magistrate Judge's order (ECF No. 12) denying his motion to proceed without prepayment of fees and costs, his motion to proceed without signature, and his motion for emergency hearing; the Plaintiff's motion to remove Assistant District Attorney Carlos Diaz for constitutional violations and conflict of interest (ECF No. 16); and a supplemental exhibit the Plaintiff filed in support of his objection to the Magistrate Judge's order denying the motion for emergency hearing (ECF No. 20).

I start with the Plaintiff's objections to the Magistrate Judge's July 11, 2025 order on the Plaintiff's motions to proceed without prepayment of fees and costs, to

proceed without signature, and for an emergency hearing. *See* Order on Pending Motions (ECF No. 12); Obj. to Order Denying Mot. to Proceed Without Prepayment of Fees Pursuant to Rule 72(b) (ECF No. 14); Obj. to Order Denying Mot. to File Without Pl.'s Signature Pursuant to Rule 72(b) (ECF No. 14-2); Obj. to Order Denying Mot. for Emergency Hr'g Pursuant to Rule 72(b) (ECF No. 14-3); Suppl. Ex. T (ECF No. 20). I have reviewed and considered the Order on Pending Motions and the Plaintiff's timely objections thereto. The Magistrate Judge's order is neither clearly erroneous nor contrary to law, *see* Fed. R. Civ. P. 72(a), and therefore the Plaintiff's objections are **OVERRULED** and the order of the Magistrate Judge is **AFFIRMED**.

Next, on July 31, 2025, the United States Magistrate Judge filed with the Court, with copies to the parties, his Recommended Decision (ECF No. 21) on the Plaintiff's complaint and his order (ECF No. 22) denying the Plaintiff's motion for leave for Lynn Torre to proceed as next friend of the Plaintiff (ECF No. 15). The time within which to file objections has expired, and no objections have been filed.<sup>1</sup> The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED** and the Plaintiff's complaint is **DISMISSED**.

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<sup>1</sup> There are two Recommended Decisions in this case. The Plaintiff did not file an objection to the second Recommended Decision before me now, which recommends dismissal of the complaint. Last month, I entered an order (ECF No. 19) affirming the Magistrate Judge's Recommended Decision (ECF No. 11) on the Plaintiff's Emergency Motion for Temporary Restraining Order (ECF No. 10). That order was entered over the Plaintiff's timely objection (ECF No. 13) on July 24, 2025.

Finally, because I agree with the Magistrate Judge and conclude that the Plaintiff's complaint must be dismissed, the Plaintiff's remaining two motions—the motion seeking federal court jurisdiction, Mr. Torre's immediate release, and the return of his minor children (ECF No. 6); and the motion to remove the assistant district attorney from the Plaintiff's cases (ECF No. 16)—are hereby **DENIED AS MOOT**.

SO ORDERED.

/s/ Nancy Torresen  
United States District Judge

Dated this 2nd day of September, 2025.